

**ADDENDUM TO THE SAN JOSE DOWNTOWN STRATEGY 2000 FINAL
ENVIRONMENTAL IMPACT REPORT (SCH # 2003042127) AND THE
ENVISION SAN JOSÉ 2040 GENERAL PLAN FINAL PROGRAM
ENVIRONMENTAL IMPACT REPORT AND SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT - GREENHOUSE GAS EMISSION
ANALYSIS (SCH# 2009072096)**

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to the San Jose Downtown Strategy 2000 Final Program Environmental Impact Report (Strategy 2000 FPEIR), the Envision San José 2040 General Plan Final Program Environmental Impact Report, and the Supplemental Environmental Impact Report - Greenhouse Gas Emission Analysis because minor changes made to the project, as described below, do not raise important new issues about the significant impacts on the environment.

File Number and Project Name: SP16-018 Food Trucks in Downtown

Location: The project is located on a portion of the empty parking lot located at the Valley Title Building and Parking property (300 South First Street, San Jose). The property is bordered by East San Carlos to the north, South Second Street to the east, East San Salvador to the south, and South First Street to the west.

Council District: 3

APN: 467-46-080, -081, -082

The environmental impacts of this project were addressed by three Final Environmental Impact Reports: "The Downtown Strategy 2000 Final Environmental Impact Report," adopted by City Council Resolution No. 72767 on June 21, 2005, the Final Program EIR entitled "Envision San Jose 2040 General Plan" (GP2040) adopted by City Council Resolution No. 76041 on November 1, 2011 (SCH #2009072096), and the Supplemental EIR to the GP2040 adopted by City Council Resolution No. 77617 on December 2015, 2015 (SCH #2009072096).

The project is eligible for an addendum pursuant to CEQA Guidelines §15164, which states that "A lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in CEQA Guidelines §15162 calling for preparation of a subsequent EIR have occurred." Circumstances which would warrant a subsequent EIR include substantial changes in the project or new information of substantial importance which would require major revisions of the previous EIR due to the occurrence of new significant impacts and/or a substantial increase in the severity of previously identified significant effects. The following impacts were reviewed and found to be adequately considered by the EIRs:

☒ Aesthetics
☒ Biological Resources
☒ Greenhouse Gas Emissions
☒ Land Use
☒ Population and Housing
☒ Transportation/Traffic
☒ Growth Inducing

☒ Agriculture Resources
☒ Cultural Resources
☒ Hazardous Materials
☒ Mineral Resources
☒ Public Facilities and Services
☒ Utilities & Service Systems
☒ Cumulative Impacts

☒ Air Quality
☒ Geology and Soils
☒ Hydrology & Water Quality
☒ Noise
☒ Recreation
☒ Energy

INTRODUCTION AND PURPOSE

In 2005, the City of San José approved the San José Downtown Strategy 2000 (Downtown Strategy 2000), which is an update of the San José Downtown Strategy Plan 2010 (adopted in 1992) and is a long-range program for the redevelopment and preservation of the central core of San José. The plan includes the following development:

- 8,000,000 to 10,000,000 square feet of office space
- 8,000 to 10,000 residential dwelling units
- 900,000 to 1,200,000 square feet of retail space; and
- 2,000 to 2,500 guest rooms of hotel space, in four to five hotel projects

The certified 2005 Downtown Strategy 2000 Final Program Environmental Impact Report (FPEIR) (SCH#2003042127) was primarily a broad range, program-level environmental document, it developed project-level information whenever possible, such as when a specific site was identified for a specific size and type of development. All subsequent development that has occurred as part of the Downtown Strategy 2000 has had project specific supplemental environmental review. The South First Area Strategic Development Plan was incorporated by reference in the Downtown Strategy 2000, and provides guidance for specific development projects proposed within the South First Area of Downtown (SoFA).

In November 2011, the City of San José approved the Envision San José 2040 General Plan (Envision 2040 General Plan), which is a long-range program for the future growth of the City. The Envision San José 2040 General Plan Final Program Environmental Impact Report (General Plan FPEIR) was a broad range analysis of planned growth and did not analyze specific development projects. The intent was for the General Plan FPEIR to be a program-level document from which subsequent development consistent with the General Plan could tier.

In December 2015, the City of San José approved the Supplemental Program Environmental Impact Report for the Envision San José 2040 General Plan (Supplemental General Plan EIR) which reevaluated the projected greenhouse gas emissions impacts of implementation of the City of San José's 2040 General Plan. No changes to the General Plan land use and transportation assumptions were proposed from what was evaluated in the General Plan FEIR.

The project site was included in the Downtown land use designation and allows for office, retail, service, residential, and entertainment uses in the Downtown at high intensities, unless incompatibility with other major policies within the Envision 2040 General Plan indicates otherwise.

The project is to allow a maximum of 22 mobile food trucks on a private parking lot on a 2.8-gross acre site. The project complies with the Downtown Strategy 2000 Plan and the Envision San José 2040 General Plan goals to enhance "complete community" in downtown, support pedestrian and bicycle circulation, and increase transit ridership by providing more commercial uses on an existing parking lot.

PROJECT DESCRIPTION

Development Plan:

The project is to allow an Outdoor Vending Facility (mobile food trucks) and minor site improvements in the DC Downtown Primary Commercial Zoning District on an approximate 2.8-gross acre site. The project will utilize part of the existing Valley Title building's parking lot located at 300 South First Street

for placement of mobile food trucks. The parking lot straddles ten separate parcels and the applicant is pursuing a Covenant of Easement to allow cross access among these parcels. The project consists of four (4) different activation phases, each phase allows for a specific number of mobile food trucks to operate at one time. The phases are:

1. Activation Phase I – Consist of one (1) mobile food truck, “Gyro Truck,” will be located at the southwest corner of South Second Street and San Carlos Street. This is the most regularly active phase and will operate 5-7 days per week from approximately 10:00 A.M. to 9:00 P.M.
2. Activation Phase II – Consist of four (4) mobile food trucks situated along the San Carlos Street frontage.
3. Activation Phase III - Consist of four (4) mobile food trucks situated adjacent to the existing Valley Title Building.
4. Activation Phase IV – Consist of thirteen (13) mobile food trucks situated along the South First Street frontage, between the Valley Title building (300 South First Street) and the Anno Domini building (366 South First Street). This activation will be reserved for special events and other cultural activities in the SoFA neighborhood and is estimated to take place one to two times a month.

The project will include customers queuing stations and temporary seating in all phases. The mobile food trucks will have their own hours of operation depending on the day, but most trucks will be operating between the time of 9:00 A.M. to 5:00 P.M. on most days, and until 10:00 P.M. or 11:00 P.M. on busier days such as Fridays and Saturdays. No late night uses is proposed. The maximum number of mobile food trucks operating at any given time is 22. The project will also include a number of site improvements measures such as:

- removal of part of the existing construction fence around the perimeter of the parking lot on South Second Street,
- installation of a new decorative (“mural”) fence slats to the remaining fence along the San Carlos Street,
- installation of hanging planters along the area East San Carlos Street and South First Street,
- installation of potted planters along a portion of the perimeter along the South Second Street,
- installation of an art mural corner at the intersection of South Second Street and San Carlos Street.

Construction and Demolition:

The project would not include any major demolition or construction on or around the project site. The project will only remove a portion of an existing construction fence and will install new, decorative, fence slats and plants to the remaining fence around the perimeter.

Site Access, Circulation, and Parking:

Food trucks will enter and exit through the South Second Street entrance. On-site staff will assist with parking set up and exit. Traffic flows in the parking lot will be marked using safety cones, directional signage, and other safety measures to ensure parking safety. Each mobile food truck is approximately 260 square feet and will take up approximately three (3) parking spaces per vehicle. The current parking lot has approximately 164 spaces. With the inclusion of all 22 mobile food trucks on site, the parking lot will be reduced to approximately 93 spaces. In addition, pedestrians will access the site from public right of way along the South First Street and San Carlos Street.

Operation, Management:

Each vendor will provide their own vehicle with appropriate documentation, such as updated Santa Clara County Department of Environmental Health (SCC DEH) permits. All vendors, vendor employees, and patrons will have access to the bathrooms located in the host office building at 300 S. First Street during operation hours. The bathrooms will be maintained by parking lot attendants and building attendants.

Amenities:

Each mobile food truck will have its own permitted generator as part of their operation. Management will ensure that all vendors have appropriate permits for the use of the generators. All water and wastewater will be contained within the mobile food trucks and will be handled off-site at the end of the day. Furthermore, each vendor or mobile food truck will be responsible for providing one full-sized trash and recycling receptacle. These receptacles will be located in close proximity to the mobile food truck for easy and convenient access. It will be the responsibility of the vendor to remove and properly dispose of all waste generated. Any additional waste management needs will be handled on-site by the existing waste facilities used by the property owner and existing office building.

ANALYSIS

Aesthetics:

The project site is currently surrounded by a number of offices, restaurants, multi-family residential apartments, and parking lots. The site is an existing surface parking lot with the Valley Title building. The project will not result in demolition of the existing building and will not construct new structures on the parking lot. The project will utilize part of the parking lot for placements of mobile vending during specific time of the day. Furthermore, as part of the project, a number of improvements to the site will be implemented to enhance visual appeal of the existing parking lot.

The introduction of the trucks and improvements to the site will not degrade the visual character of the project site or the adjacent communities. The installation of fence slats on the perimeter of the site will not increase in daytime or nighttime glare. In addition, the project will not install any permanent lighting fixture on sites and therefore will not increase lighting on or around the site. Therefore, the project will not result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs.

Air Quality:

The San Francisco Bay Air Basin is in non-attainment for ozone, particulate matter 2.5 millimeters (PM_{2.5}), and particulate matter 10 millimeters (PM₁₀). Each mobile food truck will obtain applicable permits for its generators before use. The project will not have any construction related impacts. The operation of a maximum number of 22 mobile food trucks will not contribute substantially to an existing or projected air quality plan nor will it result in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, the project will not result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs.

Noise and Vibration:

The project site is categorized as Downtown Commercial (DC) Zoning District and has the General Plan Land Use Designation of Downtown (DT). The noise environment on the project site results primarily from vehicular traffic on the main streets, aircrafts overflight, and nearby activities such as restaurant and offices. The Downtown Strategy 2000 FPEIR identified significant traffic generated noise impacts on various roadways within the City. According to the 2035 Traffic Noise Contours in the

Central/Downtown Planning Area in the General Plan FPEIR Environmental Noise Assessment report, the existing traffic noise level at the project site is approximately 60-65 dBA DNL.

The project is to encourage foot traffic to the existing parking lot from nearby residents and business employees. The proposed food trucks will not have amplified music during operations. Generators and other truck equipment will be contained within the trucks as to not expose consumers or pedestrians to excessive mechanical noise. In compliance with the General Plan noise policies, the operation of the proposed 22 mobile food trucks will not result in a noise increase in this area by three dBA DNL or more. Furthermore, the project does not consist of any major demolition of construction activities except for the removal of a fence and installation of fence slats on the remaining fence. This work is not expected to generate significant noise and vibration impacts to construction workers and/or adjacent residences. Therefore, the project will not result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs.

Transportation:

The project site is located within the Downtown Core. According to the General Plan FPEIR and the Traffic Impact Analysis Guidelines 2009, development within the Downtown Core Area is exempt from the Level of Service performance criteria and exempt from traffic mitigation requirements. Furthermore, the project is located in the Downtown Core area that is within walking distance to multiple modes of transit (including buses, light rail train, ACE train, Amtrak, and bicycle and car share locations), jobs, and services. As a result, by its very location, the project will have reduced traffic trips compared to comparable development in other locations. In addition, the project is located on an existing parking lot site that will be continue to be utilized for parking purposes.

The project will conform to the policies of the General Plan and will not conflict with adopted plans, policies, or programs related to alternative transportation. The project will not impact air traffic patterns. Therefore, the project will not result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs.

All Other Resource Areas:

The project is not on sensitive habitat, is not a cultural significant resource, is not designated as farmland/forest land, is not located on a site with any known state or locally important mineral resources, will not increase the use of existing recreational resources, will not result in an increase in population or result in displacement, and is consistent with the immediate surrounding area. Furthermore, each mobile food truck will ensure all waste is properly disposed of at the end of the day and will comply with City's regulations and standards for waste management.

In addition, as previously stated, the project will not result in major demolition or construction activities on or off site, except for the removal of a portion of an existing fence and minor improvements to the remaining fence along the perimeter. The improvements on site are intended to comply with the South First Area (SoFA) district to maintain the uniqueness and artistic vibe of the area. Therefore, the project will not exacerbate the risk of geological or seismic hazards on or around the area. The project will conform to all applicable City Municipal Code and General Plan policies. Therefore, the project will not result in any new or substantially increase significant impacts to any other CEQA resource areas.

Conclusion:

The project will not result in any new impacts not previously disclosed in the Strategy 2000 FPEIR and the 2040 General Plan FPEIR and SEIR. The project will not result in a substantial increase in the

magnitude of any significant environmental impact previously identified in the EIRs. For these reasons, a supplemental or subsequent EIR is not required and an addendum to the Strategy 2000 FPEIR and the 2040 General Plan FPEIR has been prepared for the project.

This addendum will not be circulated for public review, but will be attached to both the Strategy 2000 FPEIR, the 2040 General Plan FPEIR, and 2040 General Plan SEIR, pursuant to CEQA Guidelines §15164(c).

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7/21/2016
Date

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